IBM CORPORATION INTELLECTUAL PROPERTY LAW DEPARTMENT 11400 BURNET ROAD AUSTIN, TEXAS 78758 FAX # 512-823-1036

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Examiner:

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Docket No. Hus 7200/0965 US / Serial No. 10/042,045 Atty: 1915D				
Applicant: Scott J. R	roussard			
Transmittal Letter (2 copies)	Cortificate of Facsimile			
Amendment	Notice of Appeal			
Amendment AF	Appeal Brief (3 copies)			
Ext. of Time	Reply Brief			
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Fees: Amendment Notice of Appe	eal Appeal Brief Other			

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PATENT 10/042,045

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MAY 2 0.2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

: Before the Examiner:

Scott J. Broussard

Laurel E. Leflore

Serial No.: 10/042,045

: Group Art Unit: 2673

Confirmation Number: 4455

Filed: 01/08/2002
Title: DETERMINING A MINIMUM

: Intellectual Property Law Department: International Business Machines Corp.

SIZE OF PRESENTATION DATA

: 11400 Burnet Road

| | | | | | | | |

Austin, Texas 78758

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent Office at facsimile number 703-872-9306 and to the attention of Examiner Laurel E. Leflore on 5-20-05

Beverly Winfield

5-20-05

Signature

Date

PROOF OF TIMELY SUBMISSION OF THE NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The Examiner has requested a copy of the Notice of Appeal for the Decision of the Primary Examiner mailed May 4, 2004, finally rejecting claims 1-20. The Notice of Appeal was faxed July 28, 2004 to the central facsimile number 703-872-9306. Included

AUS920010965US1

1

PATENT 10/042,045

in this facsimile is the evidence to substantiate the original transmission on July 8, 2004 including i) a copy of the original Notice of Appeal with the Certificate of Facsimile Transmission and a cover sheet thereto; ii) the TX STATUS REPORT showing the Notice of Appeal (5 pages) was successfully faxed 07/28 at 11:06, and iii) Auto-Reply receipt from the USPTO fax server dated 7/28/2004 at 12:03 PM (reduced by 10%).

Respectfully submitted,

Marilyn Smith Dawkins Registration No. 31,140

Intellectual Property Law

IBM Corporation 11400 Burnet Road

Austin, Texas 78758

Telephone No: (512) 823-0094

USPTO 7/28/2004 12:03 PM PAGE 1/001 Fax Serve: TO:Auto-reply fax to 512 82° to36 COMPANY:

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** TX STATUS REPORT **

AS OF JUL 28 2004 11:07 PAGE.01

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DATE TIME TO/FROM MODE MIN/SEC PGS JOB# STATUS 69 87/28 11:05 USPTO G3-S 01'23" 885 139 DX

. IBM CORPORATION
INTELLECTUAL PROPERTY LAW DEPARTMENT
11400 BURNET ROAD
AUSTIN, TEXAS 78758
FAX #512-823-1036

PAX#512-823-1036

DATE: 7-28-04

Number of Pages to Follow (including cover sheet).

SEND TO: United States Patent Office

Examiner: Laurel E. Leftore

Group Art Unit: 2673

Tel No: 703-872-9306

FROM: Marilyn S.Dawkins

Tel No: 572-823-0.094

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HERBEY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

Transmittal Letter (2 copies)	Certificate of Facsimile
Amendment	Notice of Appeal
Amendment AF	Appeal Brief (3 copies)
Ext. of Time	Reply Brief
IDS Statement	Change of Address
Other	

IBM CORPORATION INTELLECTUAL PROPERTY LAW DEPARTMENT 11400 BURNET ROAD **AUSTIN, TEXAS 78758** FAX # 512-823-1036

Number of Pages to Follow (including cover sheet)				
United States Patent Office Laure 1 E. Leflore 2673 703-872-9306				
Marilyn 9. Dawkins 512 - 823-0094				
ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS TAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDESE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR ICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.				
5 USI Serial No. 10/042,045 Atty: MSD - J. Broussard				
Certificate of Facsimile Notice of Appeal Appeal Brief (3 copies) Reply Brief Change of Address				

PAGE 6/10 * RCVD AT 5/20/2005 11:00:14 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/2 * DNIS:8729306 * CSID:512-823-1036 * DURATION (mm-ss):02-38

Fees: Amendment _____ Notice of Appeal 330° Appeal Brief _____ Other ____

Deposit Acct. No. 09-0451 / 09-0447

512-823-1036 >> USPTO PATENT 10/042,045

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re application of	: Before the Examiner:
Scott J. Broussard	: Laurel E. Leflorc
Serial No.: 10/042,045 Confirmation Number: 4455	: Group Art Unit: 2673
Filed: 01/08/2002	: Intellectual Property Law Department
Title: DETERMINING A MINIMUM	: International Business Machines Corp.
SIZE OF PRESENTATION DATA	: 11400 Burnet Road
SIZE OF FRESENTATION DATA	: Austin, Texas 78758
CERTIFICATE OF FACE	SIMILE TRANSMISSION
I hereby certify that this correspondence is be	sing transmitted via facsimile to the United
States Patent Office at facsimile number 703-	-872-9306 and to the attention of Examiner
Laurel E. Leflore on <u>7-28-04</u> .	
Beverly Winfield	
Beverly Winhill 7-	-28-04
Signature Date	
NOTICE OF APPEAL FROM	THE PRIMARY EXAMINER
	D OF APPEALS
Commissioner for Patents	
P.O. Box 1450	
Alexandria, VA 22313-1450	
•	
Sir:	
Applicant hereby appeals to the Board	d of Appeals from the Decision of the
	• •
Primary Examiner mailed May 4, 2004, final	ly rejecting claims 1-20.
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The item(s) marked below are approp	oriate:
1 A petition and fee for extension attached.	on of term for reply to the final rejection is

1

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PATENT 10/042,045

- 2. X Appeal fee
 - X other than a small entity.

Fee: \$330.00

- 3. X Payment
 - X Please charge Deposit Account 09-0447 the sum of \$330.00. A duplicate of this notice is attached.

Respectfully submitted,

Marilyn Smith Dawkins Registration No. 31,140 Intellectual Property Law

IBM Corporation 11400 Burnet Road Austin, Texas 78758

Telephone No: (512) 823-0094

PATENT 10/042,045

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Scott J. Broussard

: Laurel E. Leflore

Serial No.: 10/042,045

Confirmation Number: 4455

Filed: 01/08/2002

Title: DETERMINING A MINIMUM

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: Before the Examiner:

: Laurel E. Leflore

: Group Art Unit: 2673

: Intellectual Property Law Department
: International Business Machines Corp.
: 11400 Burnet Road
: Austin, Texas 78758

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Beverly Winfield		
Beverly Winfield	7-28-04	
Signature	Datc	_

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed May 4, 2004, finally rejecting claims 1-20.

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